

### **REMARKS/ARGUMENTS**

Claims 1-14 are currently pending in the application and claims 2, 4, 6 and 8 have been indicated to contain allowable subject matter.

The Examiner objected to claims 2, 3, 6 and 7 as being defective for having informalities. Applicants have corrected this in the amended claims submitted herewith. Applicants believe that the submitted claims fulfill the statutory requirements. Thus, no further correction is needed.

On page 2 of the Office Action, the Examiner rejected claims 1-14 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to point out and distinctly claim the subject matter which Applicants regard as the invention.

In particular, the Examiner stated that the limitation of “each R may be different or the same” of claims 1 and 5 is unclear. Applicants note that “each R” recited in claims 1 and 5 includes not only “R” in the alkyl chain of the repeating unit, but also all “R”s of the carbazole rings. The repeating unit represented by the formula (1) has two carbazole structures. Among benzene rings contained in the carbazole structures, in the benzene ring suspended directly from the alkyl chain of the repeating unit, there are three substituted “R”s. The symbol “(R)<sub>3</sub>” refers to such a substitution. Further, among benzene rings contained in the carbazole structures, in each of the benzene rings other than the one suspended directly from the alkyl chain of the repeating unit, there are four substituted “R”s. The symbol “(R)<sub>4</sub>” refers to such a substitution. In accordance with the aforesaid explanation, it is believed that claims 1 and 5, as amended and submitted herewith, fulfill the statutory requirements for patentability. No new matter has been added by way of amendment. Claims 1 and 5, as amended, are submitted to clearly set forth and claim the subject matter Applicants have invented in such a manner that the invention is readily

understandable and reproducible by the person of ordinary skill in the art. It is believed that the entire set of claims is in condition for allowance.

Likewise, claims 10-13 have been amended in order to more clearly recite certain limitations in a manner for which the claims are believed to be both readily understandable and reproducible by the person of ordinary skill in the art and thus should be allowable.

Accordingly, the claims should be in condition for allowance.

### **Rejections under 35 U.S.C. § 102**

On page 2 of the Office Action, the Examiner has rejected claims 1, 3, 5, 7, 9 and 14 under 35 U.S.C. § 102(a) as being anticipated by Mashita et al. (JP 2003-178884). The Examiner stated that Applicants cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55.

In accordance with 37 CFR 1.55, Applicants hereby submit verified translations of the foreign priority papers previously cited in the Declaration submitted on August 20, 2004. In accordance with the Code, Applicants submit that the present rejection under 35 U.S.C. § 102(a) should be withdrawn.

### **Conclusion**

In view of the foregoing, it is submitted that each of the claims 1-14 are now in condition for allowance. The Notice of Allowance is respectfully requested to be issued.

Should any further minor objections arise or need to be attended to, the Examiner is invited to contact the undersigned attorney to discuss the matters in an effort to successfully complete the prosecution of this application.

Date: \_\_\_\_\_

5/10/05

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Respectfully submitted

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**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 5/10/05.

Diane K. Regular